

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE	:	CHAPTER 13
LYNDEL TOPPIN	:	
DEBTOR	:	CASE NO: 18-00138-MDC
_____	:	

APPLICATION TO EMPLOY SPECIAL COUNSEL

Now comes Lyndel Toppin, through bankruptcy counsel, and makes Application pursuant to 11 U.S.C. §327 and other applicable sections of the Code and L.B.R. 2014-1 for an order authorizing the employment of special counsel, Predrag Filipovic, Esquire to represent the Debtor and the Estate in the pending Adversary Proceeding titled *Lyndel Toppin v. Jewell Williams, Sheriff of the City of Philadelphia, and Abdeldayem Hassan*, Adv. Proc. No. 18-00137-MDC.

1. Debtor's counsel has very little litigation experience as he spends the majority of his time in a transactional capacity.
2. Predrag Filipovic's consumer litigation experience would greatly benefit the Debtor and the Estate as Attorney Filipovic has acquired a wealth of experience in a litigation capacity and he is well versed in investigations, discovery, depositions, and trial.
3. The Third Circuit has recognized Attorney Filipovic's Oral Arguments in two separate civil matters and both were deemed to be of significant interest and important to the Public, the Bar, and the Academic Community that they were published after a unanimous panel vote. See *Clayton Tanksley v. Lee Daniels*, 17-2023 (04/09/2018) and *Philip Tiene v. Law Offices of J. Scott Watson*, 18-1221 (11/07/2018).
4. Additionally, Attorney Filipovic's seven years of experience as a Financial Exploitation Specialist with the Philadelphia Corporation for Aging serving older Philadelphians with disabilities make him especially qualified in this case due to the debtor's unique disabilities.
5. A copy of the Fee Agreement is Attached (Attached and marked Exhibit A).
6. A copy of Predrag Filipovic's curriculum vitae is Attached (Attached and marked Exhibit B).
7. An Affidavit signed by Predrag Filipovic is Attached (Attached and marked Exhibit C).
8. After confirming that the debtor wishes Predrag Filipovic to continue to handle this action, the Debtor is therefore, filing an Application to Employ Special Counsel.

9. Pursuant to 11 U.S.C. § 504, Attorney Predrag Filipovic will not be sharing compensation with Attorney Stephen Dunne as Attorney Predrag Filipovic is neither a member, partner, or regular associate in a professional association as set forth by § 11 U.S.C. § 504.
10. Pursuant to F.R.B.P. Rule 2016(a), Attorney Predrag Filipovic intends to file a detailed Application for Compensation at the conclusion of this matter seeking compensation for services rendered, time expended and expenses incurred, and the amount requested.
11. Pursuant to F.R.B.P. Rule 2016(b), Attorney Predrag Filipovic intends to file a “Disclosure of Compensation Paid or Promised to Attorney for Debtor” upon approval of the Motion to Employ Special Counsel.
12. Pursuant to the Chapter 13 Trustee’s Policy, any recovery by the debtor in excess of applicable exemptions shall be paid to the Chapter 13 Trustee in addition to debtor’s plan payments, for the benefit of the unsecured creditors.
13. Pursuant to the Chapter 13 Trustee’s Policy, the “litigation language” shall be incorporated into debtor’s amended plan reflecting that any recovery in excess of exemptions will be paid to the Chapter 13 Trustee for the benefit of the unsecured creditors.
14. The Debtor and Predrag Filipovic. by making this application acknowledge:
 - a. The cause of action is property of the chapter 13 estate;
 - b. Compensation of the attorney and reimbursement of costs are subject to the provisions of 11 U.S.C. §§327, 328, 329 and 330, and other applicable sections of the Code, the Bankruptcy Rules and Local Rules of the Court and to the jurisdiction of the Bankruptcy Court.
 - c. No distributions shall be made of any proceeds without prior approval of the Court, after notice and opportunity for hearing.
15. The reasons for the selection of Predrag Filipovic, Esquire is his expertise in handling consumer cases and his wealth of consumer litigation experience, which has been recognized by the Third Circuit.
16. UNLESS A RESPONSE IS FILED TO THE APPLICATION WITHIN SEVEN (7) DAYS OF SERVICE HEREOF AN ORDER WILL BE SUBMITTED TO THE COURT GRANTING THIS APPLICATION.

Respectfully submitted:

DUNNE LAW OFFICES. P.C.

Dated: June 23, 2019

By: /s/ Stephen M. Dunne
STEPHEN M. DUNNE. ESQUIRE
1515 Market Street, Suite 1200
Philadelphia, PA 19102
(215) 551-7109 Phone